



**PUBLIC PROTECTION CABINET  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

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Local City and County ABC Administrators:

Last year, SB 13 merged three (3) old temporary license types (distilled spirits, wine, and beer) into one special temporary license type. SB 13 changes for the special temporary license were codified into KRS 243.260. The retention of existing license privileges created some confusion as to when distilled spirits drink sales were authorized under the special temporary license. HB 213 of this year's 2014 General Assembly has removed this confusion.

A Special Temporary license always authorized limited wine and beer drink sales at a special qualifying event. Under the new law, a Special Temporary license for distilled spirits, wine and beer shall only be issued: (1) the special event is in a wet city or county where quota drink retail (LD/QD) licenses are issued; or (2) the special event is in a wet city or county that has approved limited distilled spirits sales by enacting an economic hardship ordinance pursuant to KRS 243.072. Fifth and sixth class cities, and counties without a fourth-class city or larger, cannot enact an economic hardship ordinance. In such cities and counties, a special temporary license will always only authorize wine and beer drink sales at a special qualifying event. Special Temporary licenses shall not be issued in dry or moist territory.

Cities of the fourth class, or counties containing a city of the fourth class, that are currently limited to wine and beer may now have distilled spirits, wine, and beer if they enact an economic hardship ordinance. Several city and county governments have enacted economic hardship ordinances to allow for issuance of NQ2 licenses, pursuant to KRS 243.072. However, these ordinances are not applicable to Special Temporary licenses. If a locality does not have Quota Retail Drink licenses issued, and wants to issue temporary licenses, they will need to enact a new ordinance allowing for Special Temporary licenses, or amend their current economic hardship ordinance to include Special Temporary licenses. If the city or county does not pass a new or amend an existing ordinance, Special Temporary licenses will be limited to wine and beer only.

Please ensure that your city or county attorney (or person responsible for drafting ordinances) receives a copy of this letter. Feel free to contact the Department's Licensing Division staff if you have additional questions related to Special Temporary licenses.

Respectfully,

Department of Alcoholic Beverage Control

